

# THE L E T T E R

Which was sent to the AUTHOR of  
The Doctrine of PASSIVE OBEDIENCE  
and JURE DIVINO Disproved, &c.  
**ANSWERED and REFUTED,**

Wherein is Proved to the manifest Capacity,

That Monarchy was not Originally from GOD.

That Kings are not by Divine Appointment; but that all Government proceeds from the People, and that it is Law-ful to turn out such a Governour who is unaccountable, or does not Govern according to the Laws of the Land, and appoint such as will.

That the Obedience required in Scripture, is to the Laws of the Land, and no otherwise.

That Resisting of Arbitrary Power is Lawful.

That it is the Duty of every Man to defend himself from any Man who shall endeavour to take away his Liberty contrary to Law.

That all Oaths have a Tacit Condition, though not expressed.

That the Oath of Allegiance to the late King James was dissolved before the Prince of Orange (our present King) landed.

That upon the Non-performance of an Oath on our Side, the other becomes void, is plainly prov'd from several Examples in Scripture.

That Protection is the only Cause of Allegiance, and that Obedience or Allegiance is due to the present Government is proved from Scripture, Law and Reason; and those Texts of Scripture which relate to Government, or Monarchy, are Explained.

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By a small Book of the CHURCH of England.

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L O N D O N,

Printed for The Author at the White Swan over against the  
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I do desire you, and all impartial Men that read this Book, to take the pains to read my former Sheet, and number the Breaks or Assertions therein, and compare them with your Answer (which I have set down *Verbatim*), that they may the better judge of the Ridiculousness thereof.

1. To begin: (you say) By the Word of God it appears, That Monarchy is the Government which God hath chosen above all others, and that the People were always obliged to accept that form of Government which God had chosen for them, before they did actually bind themselves: See him, said Samuel to all the People, whom the Lord (not you) hath chosen, 1 Sam. 10. 24. Jeroboam indeed was a King of the Peoples making, and presently after (you know) they made a golden Calf. This Act of the People (though permitted by God for the punishment of Solomon's sin) is more than once called Rebellion in Scripture, 1 Kings 12. 19. 2 Chron. 10. 19.

1 Sam. 8. 19, 20. The Children of Israel importuned him for a King over them, that they might be like all the nations, and that he might judge them, and go before them, and fight their Battles. Chap. 10. 24, 25. And Samuel said unto the People, See him whom the Lord hath chosen: And he told the People the manner of the Kingdom, (which was the Law of the Kingdom), and wrote it in a book, and laid it up before the Lord. Surely no man will say, but that this Law was a Rule for the King to go by as well as the People: And then where was his Absolute Authority? Chap. 11. 14, 15. Samuel said to the People, Come; and let us go to Gilgal, and renew the Kingdom there. And all the People went to Gilgal, and there they made Saul King before the Lord. 1 Sam. 12. 12, 13. Ye said unto me, says Samuel, Nay, but a King shall reign over us, when the Lord your God was your King. (by which it appears, there was no other King but God). Now therefore behold the King whom ye have chosen. But though he was made King by the appointment of Almighty God, yet it was thought necessary the People should confirm, and make him King again. And 1 Chron. 29. 22. The people made Solomon King the second time; Which makes not a little for the Peoples Right in Electing their Kings. Je-



roboam was a King by the appointment of Almighty God, (though Elected by the People) 1 Kings 11. 35. Where the Prophet Ahijah, speaking to Jeroboam, Thus saith the Lord, I will take the Kingdom out of Rehoboam's, the Son of Solomon's hand, and will give it to thee, even Ten Tribes. But with what face can you wrest the Scripture thus, in saying, that the Peoples chusing of Jeroboam, is more than once called a sin, when both these Texts which you quote relates to the foregoing Verses, wherein 'tis said, That King Rehoboam sent Adoram, that was over the Tribute, and all Israel stoned him with stones, that he died; which was Rebellion, because it was resisting the Lawful Authority: Besides, Jeroboam is not mentioned as King till after this Act was committed.

2. The true and real greatness of the Sovereign is never inconsistent with the Publick Advantage.

The true and real Greatness of the Sovereign, both from God and Man, is not to annihilate or destroy Government, but to preserve it, with Justice and Peace. All Acts contrary to the Laws of the Land are far from being a true and real Greatness; and therefore are inconsistent with the Publick Advantage.

3. Those things which God hath joyned, let no man put asunder: The head cannot be well, if the Members be much out of order; neither can the Members rightly perform their office, if the Head be sick and weak. The good of the Society is indeed the End of Government; but 'tis Ponsence to talk of the good of a Society, without including the Governour as well as the Governed.

The People are no ways commanded by God to put themselves into this or that Form of Government, but 'tis wholly left to their choice: And all Government whatsoever, tho after the mutual ties of Reciprocal Oaths, are not joyned by God, tho permitted by him: But how do you wrest the Scripture which particularly relates to Man and Wife (and apply it to Government), as may be seen, *Matth. 19. 6.* But *verse 9.* allows a man to turn away his Wife for Fornication, tho joyned by God. But suppose the King and People are joyned together by God, is it not much more reasonable to turn a-

way that King who shall endeavour to destroy the People, or overthrow their Laws, Rights and Priviledges, and make them Slaves to his Arbitrary Will and Pleasure, than for to turn away one's Wife for Fornication? I say, if a Woman forfeits her right to her Husband, by breaking of her Marriage-Vow, in committing of Fornication, surely 'tis much more reasonable, that a King who breaks his Oath, and endeavours to overthrow the Government, and establish an Idolatrous Religion (and by consequence robbing God and the Nation of their Rights), should forfeit his Right to the People. The Safety of the Body (that is the People) is to be valued before the Head, (which is the Chief Governour) because it is an easie matter to get a Head to the Body, but not a Body to the Head.

4. The Law preserves the King from Force and Violence, tho he should not always make it the measure of his Power. It hath also more respect for the meer Instruments of his Arbitrary Will, than to treat them as Robbers and Banditti; otherwise a man would much rather chuse to be the Lord Chief Justice's Servant than the King's; because the one can assure me, that his Commands are Law, when as the other (rather out of Ignorance of the Law than Malice) may unadvisedly engage me in those Services which are not warranted by the Law.

The Law preserves the People from Force and Violence as well as the King; but no Force or Violence hath been used to the late King James, tho some Law with Force has been used to some of his Instruments: And the Law of the Land, Nature, and Self-preservation, will justifie us in what has been done. The Plea of Ignorance in matters of Law, is not allowed on in the meanest Subject the King has; and can the King plead Ignorance, when he hath a Learned Council, with Judges always to advise with?

5. If the People had made the Law the measure of their Priviledges, as well as King Charles the 1<sup>st</sup> did make them the measure of his Power, we might probably before this time have seen a good agreement between these Two Zealous Competitors. A little Passive Obedience in the business of the Ship-Money, would, I'm perswaded, have done the Kingdom no harm in that Conjunction.

King

King *Charles* the First did not make the Law the measure of his Power, when he raised the Ship-money, which was contrary to Law, and the people refusing to submit to it, made the Law the measure of their Priviledges; for they were bound by no Law to consent to any thing the King should command contrary to Law, much less a Priviledge of such vast Importance, as the parting with their Money contrary to Law.

6. Absolute and unconditionate Obedience is, I grant, due only to God, who alone has absolute Authority; and to the King no otherwise than as his Vicegerent, which Character he doth not altogether lose by the abuse of his Power. 7. In-  
somuch that they who resist, do resist not only the Usurpations of men, but the Ordinance of God, though the person be a Claudius or a Nero.

A Vicegerent is one that is appointed, but God has no where appointed or commanded the World to be governed by Kings. (though he permits them) therefore they are not God's Vicegerents; but they may be very properly called his Vicegerents whilst they administer Justice and Equity to every man: There is no Absolute Authority given to Princes in Scripture, nor no Absolute Subjection commanded to them beyond the Laws of the Country; and therefore Kings do lose the Character of God's Vicegerents, when Guilty of a habit and constant tract of **Arbitrariness** and unreasonable Actions contrary to the Laws of the Land. All Acts of Kings or Magistrates, contrary to the Law of God or Man, are no Legal Acts, but Usurpations, therefore they are the Acts of private persons, and we are no ways in Scripture commanded to obey such Acts; therefore we may right our selves from all such Unreasonable and Tyrannical Usurpations. We ought to Obey all Magistrates whilst they keep up Rule, Order, and Government, letting the people live peaceable and quiet lives according to the Laws (which is the design of all Government) but instead of Executing wrath upon evil-doers, (according to the Scripture) they become evil-doers themselves, endeavouring to make the people slaves to their Arbitrary

bitrary Will and Pleasure; in such cases they are not Magistrates according to Scripture or Law, and therefore it is lawful to secure our selves from such designs; for as the King may with Law and Reason secure himself from the designs of all evil men, so may the People secure themselves from the unlawful designs of any man or men whatsoever. Sir; you are pleased to make God the Author or Approver of the Usurpations of men, which I absolutely deny, and doubt not but I shall make it appear to the contrary: *Rom. 12. 17. Recompense no man evil for evil.* If a man robs me, or sets fire to my House, I ought not to do the like to him, but right my self by the Law; but if he shall endeavour to take away my life contrary to Law, 'tis no Evil, but an incumbent duty to defend it: *Vers. 18. If it be possible, as much as lieth in you, live peaceably with all men.* It is not possible we can live peaceably with those who endeavour to destroy us, Ergo we may secure our selves from such endeavours, and reduce such men to peaceable lives: *Vers. 19. Dearly beloved, avenge not your selves, but rather give place unto wrath; That is, rather suffer by an unjust Law than resist, though it be to a Heathen Prince.* I would fain know where was the Absolute Authority of Kings, when the Children of *Israel* received the Law from the Levitical Priesthood, and whether those Laws were not binding to the King as well as the People; and whether our Kings have an Absolute Authority; if not, by what Scripture or Reason we may not secure our persons, our Rights and Priviledges from the unlawful and unchristian Designs of the Prince?

8, 9, 10, 11. I object nothing against your eight and ninth Apposings, no nor your tenth, if it be meant only of that Defence which one private person may make against another. But to your eleventh Maxim I can by no means assent; for if every man has the right of self-preservation as entire under Civil Government, as in a state of Nature, what difference, I beseech you, is there betwixt the one and the other state? And why was Civil Government instituted and appointed by God? Surely for no other end, but that men shou'd not be their own Carvers, and involve the publick in those miseries, which in-

resting

mine broes and quarels to'ds daily produce. Though subordinate Magistrates may be punished for Acts of illegal Violence, because they are no part of their Office; yet as long as they continue in Office, they are publick Ministers, and ought to be accounted as such till for their crimes they shall be degraded.

If the King himself has Authority to take away a mans life contrary to Law, then he can give this Authority to ten thousand persons (if he pleases) and then they wou'd be no private persons, because they wou'd act by his Authority. In a state of Nature every man acts according to his Reason in righting or preserving himself; but every man hath more right of self-preservation in a Civil Government, than in a state of Nature, because the Law allows of self-preservation, and punishes those that endeavour to take away a man's life contrary to Law. If one meets me, and endeavours to take away my life, and I must either die upon the spot, or defend my self, in this case, if I kill him, it's no Murder; but if he kills me, it is Murder. Civil Government was surely appointed by God and Man for no other end, but that men shou'd live peaceable and quiet lives, and not that Magistrates shou'd be their own Carvers, and instead of protecting and governing the people (according to the Laws of the Land) destroy them.

12. This is right Common-wealth Rhetorick, they were Children of Belial (i. e. Malice's persons, as the word signifies) who said, How shall this man save us, and they despised him, says the Text, 1 Sam. 10. 27. More Throats have been cut by the Doctrine of Resistance, than ever were by that of Passive Obedience, witness our Nation in all Ages.

These are Passive Obediences with a Vengeance, and right Antichristian Principles, to set up one Member so much above the rest, that if it endeavours to destroy them, they are obliged to make no Resistance: more Throats have been cut by this Doctrine of Passive Obedience than that of Resistance; witness all the Cruel Persecutions under the Roman Emperours, the Massacres of Paris, Piedmont, and Ireland, and many more Instances might be given. But suppose the contrary, the sin lies at their doors, who by their Cruel Persecu-



Persecutions and Violations of the Rights of the People, force them to right themselves. 'Tis certain the Gospel does no where require or permit the planting of Religion by the Sword (tho the Papiſts have practiſed it in all Ages, to the deſtroying of many Thouſands of Souls): We ought not to defend our Religion when the Laws of the Country are againſt it: But the Scripture does not require us, not to defend our Religion (or Civil Rights), which is eſtabliſhed by the Laws of the Country; Ergo, we may defend them; for where there is no Law there can be no tranſgreſſion. If it is not lawful to defend our Religion, then any Army, or number of Heathens may come, and ſettle their falſe Religion here: And if it is lawful to hinder the ſettling of Religion here by a Forreign Power, it muſt be lawful to hinder the ſettling of a Falſe Religion amongſt our ſelves (as the Romiſh Religion is, if the Scripture is true): And I think no man can without Impudence deny, but that King James had a deſign to ſettle his Falſe Religion here; by conſequence it is lawful to hinder him. When Julian the Apoſtate told the Chriſtians, their Doctrine was to ſuffer, an Eminent Man of that Age wrote a Tract (*de Regibus Apoſtaticis*), and approved as Orthodox Doctrine by Biſhop *Athanaſius*, wherein the Emperour was informed, That the Chriſtian Religion, when Eſtabliſhed by Law, allowed them to juſtifie their Rights, and not to be ruined and deſtroyed, to gratifie an Idolatrous Prince: *Eccleſ. 8. 4. Where the Word of a King is, there is power, and who may ſay unto him, What doſt thou?* The Word or Command of a King is ſuppoſed to be according to the Law or Cuſtom of the Country; in which Acts no body ought to controul him. But ſuppoſe a King be guilty of all manner of Illegalities and Cruelties, muſt not a Biſhop or a Nobleman, in an humble manner, tell him of his Faults? Surely the Scripture never meant it in ſuch a ſence, 1 Pet. 2. 13, 14. *Submit your ſelves to every ordinance of man for the Lord's ſake, (which is every Law of man) whether it be to the King as ſupream (that is the Chief Executor of the Laws) or unto Governours as unto them that are ſent*



by him, (which are Officers appointed by the King for the executing or fulfilling of the Laws) for the punishment of evil doers, and for the praise of them that do well. Rom. 13. 1. Let every soul be subject unto the higher powers, (that is, to the Laws or Customs of the Country, and to the Prince as the Executor thereof) for there is no power but of God, (the greatest Villain amongst Mankind acts by the Power of Almighty God, but not by his appointment or approbation) the powers that be are ordained of God: (the power which every man hath is from God) ver. 2. Who so therefore resisteth the power, resisteth the ordinance of God, (he that resists the Laws, resists the Powers, beyond which a Prince hath no power, except to act by Fraud or Force, which is against Divine and Humane Laws) and shall receive to themselves damnation, ver. 3, 4. For Rulers are not a terror to good works, but to the evil; for he is the Minister of God to thee for good, a revenger to execute wrath upon him that doth evil: (He is the Minister of God for good, whilst he administers Justice and Equity to every man, and punisheth him that doth evil, or violates the Laws.) Ver. 5. Wherefore ye must needs be subject not only for Wrath, but for Conscience sake; which can be nothing else than to suffer according to the Laws of the Country, tho never so unreasonable. The Laws of Countries are supposed to be made agreeable to the Inclinations of the Majority of the People; and therefore the lesser number ought to conform to the greater; but if against their Conscience, to suffer; for it is impossible to make Laws for the Security and well-Government of a Nation to please every body. Prov. 8. 15. By me Kings reign, and Princes decree Justice: That is, by the appointment or permission of God Kings and Princes reign, and decree Justice; but it cannot from hence be infer'd, that he commands, or allows of their Injustice, and endeavours to destroy the People whom they ought to preserve. Rom. 12. 17. Render therefore to all their dues, tribute to whom tribute is due, custom to whom custom, fear to whom fear, honour to whom honour: That is, Tribute, Custom, Fear and Honour, to whom it is due by the Laws of the Land. There is no Fear due to a

Prince from him who liveth according to the Laws of the Land, but from him that doth not. What a sin are you, and all other men that are for *Passive Obedience*, guilty of? that wrest the Scriptures which was appointed for the Suffering State of Christianity, whilst under *Heathen* Princes, and without Laws to support them, and compare them to our present Circumstances, and would oblige us to be passive, as they were, though our Religion and Liberties are Established by the Laws of the Land? All that Men can blame us for, is for doing that which is just; viz. for rescuing a True Religion from an Idolatrous one, and preserving our Laws, Ancient Rights and Liberties, from the Ruine and Slavery of Arbitrary and Unreasonable Men, and Establishing them upon a sure and lasting Foundation. I ask, whether it can be found, that one Christian in Ten or Twenty God hath given so much Courage and Strength (as he did to the Primitive Christians), to withstand the cruel persecutions of their Enemies, for the sake of Religion? Witness *France* and *Hungary*: And many more Instances might be given, by which it appears, that God hath not only left us to Humane Means, for the preservation of our Religion, when Established by Law, but that he expects it, it being for the preservation of our own and our Childrens Temporal and Eternal Happiness. As it is not lawful to persecute contrary to the Laws of the Land, it follows, that it is lawful to withstand such Persecution: And is it not better to dye with the Sword in the Hand, in defence of the Gospel and its True Religion, against a False one, which is endeavoured to be set up contrary to the Law of God and the Countrey, than to be forced by Cruel Tortures and Persecutions to worship God in an Idolatrous way? But some may object, It can be no Real Idolatry without the Heart joyns with the Ceremony of the Body; yet an outward Idolatry is a great sin: But who can secure to us, that our Children, or Childrens Children shan't be Real

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Idolaters? Then the sin of Idolatry, which they shall be guilty of, will be laid at our Doors, when by a timely Defence we might have prevented it.

13. Kings (tis true) were made to govern and protect the People, the People to reverence and obey their Kings; both Kings and People to serve God, and keep his Commandments.

The People are obliged to obey their King in every Act or Command of his which does not derogate from the Law of God and the Nation.

14. The Design of the Corporation-Oath was most plainly to prevent all Rebellions, upon any pretence whatsoever.

Can any man be so mad, as to think the Parliament did give up themselves, and the Community, to obey whatever the King should command? For what is it else, if the *Oath of Allegiance*, or *Corporation-Oath* is to be taken in the strictest sence? This were to make the King a Tyrant by Law, or at least allowing him to be such. No Oath is or can be binding beyond the Design of the Giver: It is plain these Oaths were not designed for our Ruine; and therefore cannot be taken or kept in that sence: All Oaths to a Governour, or Government, are designed for the Good, Safety and Wellfare of the Governed as well as the Governour. So no Oath can bind us to our own Destruction; though Lawful Authority should command such an Oath, it were a Sin to take it, but much greater to keep it, because such Subjection is inhumane, and contrary to the very Design of Government both from God and Man; and the lesser Evil ought to be chosen before the greater: Rebellion is resisting the Lawful Power of the Government; but it is no more Rebellion to resist the Unlawful and Exorbitant Power of the Prince than *Wat Tyler* or *Jack Cade*, &c. They are Rebels who arm against the Government (which is the Laws), not they that arm to defend it.

14. David made no Resistance at all, neither Offensive nor Defensive. As for your Negative Resistance by Flight (as you term it), I do not understand it: As for the Forces which he had about him, it's most probable that he raised them for no other purpose, but to be Spies and Scouts, to give intelligence of Saul's Ambushments: For what would Six Hundred Men have signified to Saul's Numerous Army, had it been David's intent to have made any Resistance? We read indeed that Athaliah was deposed; but what was the Reason? Not because she was a monstrous Unnatural Tyrant, but because she was an Usurper.

He who does not obey the Commands of his Prince, when according to Law, makes Negative Resistance, because he resists the Law, and by consequence the Prince. What could David mean by having Six Hundred Men, but to secure his Person, and make positive resistance, if he had been forced to a strait, and could not have secur'd himself otherwise? Surely Fifty or an Hundred Men would have been enough for Spies and Scouts: Could not God have delivered Saul's Numerous Army into the Hands of his Six Hundred Men, as well as the Numerous Army of the Amalekites into the Hands of but Four Hundred of his Men, 1 Sam 30. 10. 17. 1 Sam 26. 9. David said to Abishai, Destroy him not; for who can stretch forth his hand against the Lord's Anointed, and be guiltless? (Abishai had a Design to destroy Saul; and in stretching forth his Hand with that Design, had been a great sin): But he that defends himself from his Prince, who, though in his own Person, contrary to the Laws of the Countrey, endeavours to take away his Life, and being reduced to a strait, 'tis not properly to be said, stretching forth his hand against him, when at the same time he designs not to kill him, or do him any harm, but to disarm him, and secure himself: Joash was made King of Israel, and Athaliah was slain; but it may with more Reason be thought, for murdering all the King's Sons, except Joash, who

who was hid from her, than for Usurping the Throne ; for there is not the least mention made of the cause of her death, 2 Kings 11. For do we not find in the next Chap. vers. 20. that Joash was killed by his Servants ; but so soon as the Kingdom was confirmed to Amaziah his Son, he slew his Servants which had slain his Father. The Proofs of Scripture which I quote, have a particular Relation to the Primitive Christians under the Heathen Emperours, and to the Children of Israel, and 'twas usual with God to set up one King (over his People the Jews) and pull down another for their Misgovernment : But we cannot expect God to act so for us, because he does not set up or appoint our Kings ; therefore we ought to turn out such Governours who endeavour to destroy the Government, and set up such who will preserve it.

16. Neither an Invasion actually made, or eminently feared by a Foreign Power, doth authorize Subjects to depose their King.

We have not deposed the King ; neither was there any other design than to recover our Rights and Priviledges, and secure them for the time to come to our Posterity, which every man is bound to endeavour (it being for the Common Good of the Nation) against the destructive designs of the Prince. But by what Reason (say some) should King James lose the Right he was born to, and by the Law ought to have ? To which I answer, If King James had kept to Law, he had never lost his Rights, for in so doing the Subjects were bound to assist and defend those Rights ; but if King James invading the Rights of his Subjects, and endeavouring to support that Power by Force, if by Force he lose his Rights, he may thank himself for invading the Rights of others. Does not a man, though free-born, forfeit his life by firing of a House, Robbing, &c. which are but particular Calamities, and shall not a Prince, who is guilty of a General Calamity by destroying the Laws, and endeavouring to enslave the Nation, lose the Right of Governing that Nation, which is infinitely more reasonable, than that the other should

Should suffer death? The Law allows a particular man, for just Causes, to disinherit his eldest Son, and settle his Estate upon others of his Posterity, for the preserving of his Family; What Reason can be given (in an extreme Necessity) why such an Advantage should be denied for the preservation of the Nation? But to proceed: The Constitution of our Laws is the happiest in the World, it having Instituted the Legislative Power in three Heads or Parts of Government, that is, the King, Lords, and Commons, and that neither one or two of these parts can make or annul a Law, is most certain; and if either one or two of these parts should assume that Authority, that part of the Government or Constitution is dissolved and broken off. If I prove King *James* did take upon him this Authority, it will appear he thereby became no Governour or part of the Government. Which premised, I proceed: What could the compleat Legislative Authority done more, than in making a Law to annul any Law or Laws of the Land? Did not the King take upon him this whole Authority, that is, to make a Law to dispense with the Laws of the Land? And was not its effect accordingly by putting Papists into places of Trust, and by setting up Popish Schools and Chappels, Monasteries, Frieries, &c? What was this but making himself the whole Fountain of the Government, when he was but a third part of it; in doing of which Act, he hath dissolved that part of the Government which related to himself, by laying aside his Kingly Authority (which is to govern according to the Laws of the Land) and Governing by his Absolute Will and Pleasure, whereby he ceased to be King; upon which the Oath of Allegiance is void as truly and really, as if he was actually dead, or had signed a Resignation of his Crown, because it was taken to him as King ruling according to the Laws of the Land, not according to his Will and Pleasure. But suppose no Forfeiture could be made for his male Administration. If King *James* has Power to absolve his Subjects from their Oath of Allegiance, by resigning up his Crown (which is allowed on by all men) then the Stipulation, which hath been



been taken, does naturally fall by his deserting the Throne, and leaving no Commissioner or Commissioners to officiate in his stead; and throwing away the Seals of England, was nothing less than a publick Resignation of his Throne to the Nation. But what can be said for Scotland (say some) he having a Commissioner there? To which I answer, That he never was a lawful King there (if what they say is true) that he never took their Coronation Oath, as well as for his Raising by, and declaring of an Absolute Authority, and that the People ought to obey him without reserve: But though they obey'd him for the sake of Peace, yet it was highly reasonable, as well as necessary, to throw off this Arbitrary and Unlawful Governour. If no Forfeiture could be made, as some would insinuate to the World, what Anarchy and Confusion by consequence must this Government have run into? For if we could only oblige him to promise or swear to govern according to Law, and not to commit the like Enormities for the future, what would this signify to a Prince, whom no Oath can bind; and by the same Rule he has broken one Oath, he can break a thousand? But suppose he had sworn this, and immediately after should have committed all manner of Outrages and Cruelties, what must we have done in that case? Why, we must have made him swear again and again as oft as he shou'd break his Oath. But if he had refused to take such an Oath, or declared he neither could, nor would keep it, which is much the same thing as if he had taken it; then after having given our selves all this unnecessary trouble, we must e'ne have set down and cryed, *Lord, have mercy upon us*, and expect our deliverance by Miracle, though Miracles are ceas'd. I say, what Destruction and Confusion must we by consequence hereof have run into, even to the utter Extirpation of all our Civil Rights, and what is most dear to us, our Religion, and destroying of many thousand Souls, which he could not have stuck at for the promoting his Religion, by which he is oblig'd (under the pain of Damnation) to root out all Heresie and Hereticks (for so they call the Protestants.) If he could not have

have perverted us by *English* and *Irish*, or *French* Souldiers, he must have consented to the cutting our Throats (or else damn himself by the neglect thereof) to prevent the spreading of Heresie, by which Act he wou'd have merited Heaven in the highest degree, according to the Doctrine of their Church. Ah, but say some, we might have bound up his Hands from breaking of the Laws for the future, How absurd is this, to talk of binding a King's hands, whom no Oath could, or can bind, and who has declar'd himself Absolute, that is, above all Laws, his Will being his Pleasure, his Pleasure his Law: Besides, all forced Bonds or Contracts are void by the Law (as for Example, if *A*. Debtor to *B*. gives him Bond for so much Money to release him out of Prison, 'tis of no force, he being forced to it in order to get his liberty) and that such an Agreement, tho' by Lords and Commons in Parliament, wou'd not be voluntary, but forced, is most certain, because it wou'd be to get a peaceable Possession of his Throne, and therefore it wou'd become *ipso facto* void to all intents and purposes. There cou'd be no other way of binding his Hands, than in effect to dethrone him, by taking from him the Authority, and leaving him only the Title of a King, and appointing of a Regent to Execute the Kingly Office for him, which he wou'd never have consented to, because he wou'd have been nothing but a meer Stalking Horse, and the result of this Action cou'd have been nothing less than a continued Confusion during his life, if not a Civil War; for, no doubt, he wou'd have endeavoured to get a full possession of the Throne, and to that end the King of *France* would have assisted him with Men, who, with the Malecontents already here, wou'd have occasioned a Civil War; for we must have defended the Regency. I say, if the Nation hath Power to take from him his Authority, and make him only a Titular King, surely they have Authority, when an absolute necessity requires such, (as in our present Circumstances) to set up or appoint another King.

17. This Apothegm gives just as much, and no more to a Crowned Head, as to a private person.

This Assertion I deny; for a private person has no Authority at all but to live according to the Laws, whereas a King is an Executor of the Laws. But you would fain set the King above the Laws, though 'tis certain the Laws are his Rule, as well as the People's, and he cannot go contrary to them, without robbing the People of their Rights.

18, 19. The eighteenth is much the same with the 4, as also with the 23 and 24 following, which yet I shall take notice of in their places. As to the 19. I answer, Simnel and Warbeck had either of the Cheats succeeded, might properly have been called Counterfeit Kings; but a King who ascends the Throne by a regular Title, is a true and real King, though he doth not (as he ought) make the general good of the people his chief and main end.

Were the Kings over the Children of Israel counterfeit Kings, because they were not by regular Descent, of which there are many Instances, 2 Kings 23. 30. 2 Kings 23. 26. Chron. 3. 16, &c. and Obedience was paid to them as much as to the others: a King is a true and real King, when in possession of the Throne (though not by regular Descent) having taken the Coronation Oath, and Governing according to the Laws of the Land, 'tis not the Title, but the Office, that makes him a King, which if any King derogates from, he forfeits his Right of Governing: For Example, *Sigismund* King of the *West-Saxons*, for his male Administration was driven out of his Kingdom by the Nobles and People assembled together, and King *John*. King *Edward* the Second and *Richard* the Second were for breaking their Oaths, and Governing contrary to the Laws of the Land, turn'd out out of their Thrones, and others appointed in their stead, and a Clause of King *Henry's* Charter says, *The King invades those Rights* (meaning the Rights of the People) *it is lawful for the Kingdom so rise against him, and do him what injury they can, as though they owed him no Allegiance.*

giance, Whilst the Lady *Elizabeth*, the true Heir of the Crown was living, *Henry* the Seventh was declared King, without joyning her in the Title, or so much as making any mention of her Right, yet notwithstanding the Kingdom bore Allegiance to this King *de facto* before he confirmed his Title to the Crown by marrying her. By a Law made in King *Edward* the Confessor's Reign, it is declared, That if the King doth not perform his Office, he shall not so much as retain the Name of a King. If a King that comes to the Throne by regular Descent, shou'd refuse to take the Coronation-Oath; the People are not bound to swear Allegiance to him, and he neither ought, nor can be obeyed as a King in the least Command, though he shou'd promise to govern according to Law, he being not qualified according to Law, therefore could not be Head and Governour. A King acting contrary to the Laws of the Land, is so far from being a true and real King, that in every such Action he is no King at all, because his Kingly Office is to Act according (but not contrary to the Laws.

20. Here let me speak to you in the words of Solomon, I counsel thee to keep the King's Commandment, and that because of the Oath of God, *Eccles. 8. 2.* The Obligation of our Oaths doth not cease, though the King be not in a capacity to protect us. If protection be the only ground and foundation of Allegiance, we ought to become Subjects of the strongest Monarchy. If the King of France be best able to protect me, it is not only my Interest, but Duty (according to this Doctrine) to swear Allegiance to him, though he be (as you say) one of the greatest Tyrants that ever the world produced.

The Oath of God that is mentioned *Eccles. 8. 2.* was the Oath of Obedience, which the People had taken to the King, of obeying him in the Execution of the Laws, which were the Laws appointed by God for Kings to Govern by; *Sam. 10. 24.* *Nehem. 10. 29.* the Children of *Israel* took a Curse and an Oath.

Oath to walk in God's Law, and to observe all the Commandments of the Lord, his Judgments and his Statutes, which were the Laws of the Kingdom; but when they did obey their Kings contrary to Law, God did punish them, and likewise their Kings by delivering them into the hands of their Enemies, &c. *Ezek. 17.* The King of *Babylon* made the King of *Jerusalem's* Son King of *Jerusalem* (during his Father's life, whom he had taken Captive with him) and made a Covenant with him, and took an Oath of him, *Vers. 12, 13.* The King of *Jerusalem* broke this Covenant in sending for Horses and much people from *Egypt*, *Vers. 15.* But *Vers. 16.* the Lord does declare he shall die for breaking the Covenant, which is called the King of *Babylon's* Covenant. What is breaking of a Covenant, but one's cancelling of the obligation to the other by the non-performance on his side? 'Tis plain from hence, that the sin lieth at his door who breaks the Covenant, and that it thereby becomes as void to the other, as if never taken. *Jos. 2.* The two Spies that were sent by *Joshua* to *Jerico*, swore to *Rahab* that she and all her Father's house should be saved alive, *Vers. 20.* But if thou utter this our business, then we will be quit of thine Oath which thou hast made us to swear. What can be more plain, but that upon the Non-performance of an Oath on one side, the other becomes void? Can any man believe the Nation would have been so mad, as to have taken the Oath of Allegiance, if King *James* should have refused to take the Coronation-Oath, which are mutual Ties of Faithfulness one to the other? What greater Nonsense can there be than to say, That one man must be true to another, when he hath broken his Oath, and endeavours to ruine or destroy him? Certainly in this case his Oath is void, and his righting or defending and securing himself, is no falseness to the other, and the mischief that in that case happens, is a sin to the Invader, not to him that endeavours to right himself; this is allowed on by the Laws of the Land and Nature: for there is no Oath can bind a man contrary to the Duty



which is due to himself, then, how can a man be true to himself, if he lets another ruine or destroy him? *Numb. 30. If a woman vow a Vow unto the Lord, and bind her Soul by Bond, if her Father disallow thereof, the Lord shall forgive her: And speaking of a married Woman, Lev. 13. Every Vow and every binding Oath to afflict the Soul, her Husband may establish it, or make it void.* Surely 'tis more reasonable to believe that God does absolve men from their Oaths of Fidelity to a Prince upon the breaking of his Oath (which is the Covenant) by endeavouring to destroy the People, or make them Slaves, than that a Father or a Husband might make a Woman's Oath void (and that God would then absolve her) without any considerations of the unreasonableness thereof. The obligation of an Oath ceases, *viz.* if I borrow a Sword, and swear to return it by such a time, and the person grows furiously mad, the Obligation is void; or if I swear to pay a man so much Money, and he forgives me, the Debt ceaseth as much as if I had paid him the Debt, tho' no such Condition was specified; or if two persons bind themselves by Oath to a perpetual Friendship or Allegiance one to the other not to wrong, molest, or kill the other, and one shall be guilty of the great sin of Ingratitude, and cheat, rob, or endeavour to ruine the other, or to kill him, in these Cases he becomes his Enemy, and the Oath which the other hath taken is thereby become void, because the Covenant is broken, and it is no Ingratitude in the other to right himself by Law, by imprisoning him, &c. or to defend himself. Was not King *James.* guilty of this sin of Ingratitude in a very high Nature, by breaking of his Natural and Political Allegiance which was due to the Community, in destroying the Government (that is, the Laws) and hanging many persons contrary to Law, by not allowing them to plead for themselves, and endeavouring to make the people Slaves to his exorbitant Will and Pleasure? Now I appeal to all the World, whether or no our Allegiance is not void, as to King *James.* upon his breaking of his Allegiance, and whether



ther our Allegiance ought not to be transferr'd to their present Majesties; who protect us, and preserve us in all our Rights, &c. Protection is the only Ground and Foundation of Allegiance, because the Prince swears to protect and govern the People according to Law, for which Reason they swear to be true to him; but if he cannot or will not protect and govern them according to their Laws, Rights, and Priviledges, they may seek for it where they can get it: For no Allegiance can be due to him from the Community, who endeavours to destroy it. If one Prince conquers another's Country, the People are at the mercy of the Conquerour; and if he swears to protect and govern them according to the Law of the Country, they ought to swear Allegiance to him, and protect him in his Throne by fighting for him against all his Enemies, as long as he continues so doing. We ought to be subject to him whom the Law hath set over us, and who doth protect us, and not to the *French King*, or he that is best able to protect us. I could have instanced many more moral Arguments, which would induce any unbiass'd man to believe, that all Oaths and Contracts have a tacit meaning, and upon the Non-performance on the one side, the other becomes absolutely void, though not specified at the Agreement; but for brevity's sake I shall leave them out, these Proofs being sufficient to satisfy all rational impartial men.

21. Though the King do not perform his Coronation-Oath, yet his Subjects are not therefore absolved from the Oath of Allegiance; and on the contrary, the King is bound by his Coronation-Oath, though his Subjects do not keep that of Allegiance.

The Subject is not absolved from the Oath of Allegiance, for every little Violation of the King's; but if the King endeavours to overthrow the Government which he's sworn to uphold, or to make the People Slaves, or destroy them, they are not obliged by this Oath

Oath to stand still and let him: For the Design of this Oath cou'd be nothing less than the Safety of the People as well as the King: For if it was to be taken in the Litteral Sense; the Parliament bound themselves, and the rest of the Body, to the King, as Head, that we should submit to the Invasions of our Religion and Liberties, and the Establishing of Idolatry; and to all the Outrages and Cruelties that the Devil or Man could invent, even to Death it self, which is Diametrically opposite to all Laws, both Divine, Natural and Civil, and to all the Sense and Reason of Mankind; and that this Oath cannot be taken in the strictest Sense, though the Parliament design'd it, is plain, because all Oaths contrary to our Duty to God, our Neighbour, or our selves, are invalid; and by Consequence this Oath is without a tacit meaning, because it tends to our own and our Neighbours Destruction. There is another thing very observable here; that is our Baptismal Vow, by which we oblige our selves to perform all Christian Duties to God, our Neighbours and our Selves, which is, to be pious, do Justice and Charity, &c. which we cannot perform, if we were obliged by this Oath to let the Prince be guilty of all manner of Outrages: Besides, all Oaths opposite to the First a man takes are not binding, till the Obligation of the First ceases; yet the taking of such Oaths is a great sin, and ought to be avoided. There is an Allegiance due to the Government as well as to the King; and he that bears true Allegiance to the Government, bears true Allegiance to the King; and he that bears true Allegiance to the King, bears true Allegiance to the Government: There is a Natural Allegiance due from the King to the Government, of preserving it, as well as a Political one, by his Coronation Oath. It is truer Allegiance to defend the Government against the King and his Adherents, who shall endeavour to destroy

destroy it, than to defend the King and his Adherents against the Government. Then how do we bear true Allegiance to the Government, if we stand still, and let it be violated every day? If King *James*, by his illegal Administration, gives occasion for an Invasion, and cannot hinder it, and makes himself incapable to give Protection, by deserting the Kingdom; and so leaves his People to the Mercy of the Invader, who cannot fight against him, without fighting against their Religion and their Conscience. Whilst they remain thus, they have neither Government, Justice, or Benefit of the Law; in this Case the *Oath of Allegiance*, or Bond which tied them together, is broken, and ceases as much as if he was actually dead, he being dead in Law; and they are no longer his Leiges, but at liberty to get protection where they can find it. Upon the Fortune of War, in *Flanders*, and many other Countries; where Towns and Cities have been one while one Prince's, and another while anothers; and so have been transfer'd forwards and backwards several times, and with them the Peoples Allegiance: And that this is the Practice of the whole World, I need not intimate to you. Now will any man say, that these men have broke their Oaths, by swearing Allegiance to him in Possession, which must be, if their former Oaths are not void, and their Allegiance transfer'd to him in possession? From hence it follows, That Protection is the only Ground and Foundation of Allegiance. The Scripture does not direct Obedience to the Right Heir, but the Powers in being. If the People endeavour to destroy or kill the King, the *Coronation Oath* neither does nor can bind him to protect them, but on the contrary, he commits a notorious sin against the Law of Nature, if he does not defend himself, and destroy them, if there is a necessity for it to preserve himself.

'Tis not as reasonable that an arbitrary King should be deposed (for that must be the meaning of forfeiting and losing the Right of governing) as it is, that Subjects should suffer Death for conspiring against him. My Reason is, because the publick would suffer more by the impunity of bad Subjects, than of evil Kings.

'Tis more reasonable a King should lose his Right of Governing (call it what you will) for endeavouring to overthrow the Government, than that it should be overthrown by him, and the People lose the Right of being governed according to Law; which being done, they must by Consequence be Slaves to his Arbitrary Will and Pleasure: The Community would suffer more by one Evil King than by an Hundred Bad Subjects, because the Subjects are punishable for the least Misdemeanour, and the King not. When a King ceases to govern by Law, he ceases to govern; and when he ceases to govern, he ceases to be King: And this was the Case of King James, before the Prince of Orange landed. Pray observe the Reply to the 18th and 19th Paragraphs.

23. The Authority of no King, but the King of Kings, is boundless and absolute: So that the Kings of the Earth may command things that are sinful, and which none are obliged to perform.

This is a certain Verity, and it agrees with my Query.

24. The word Loyal, is true, comes from the French Loy, and signifies one that is true to the Laws. Now he who is so, will perform his Duty both to his King and his Country, and will not be Rebel either to the one or the other.

How can I be true to my King and Country, if I let men rebel against the Laws, by violating them every day? Though they Act by the King's Command, by the Advice of false Counsellours, yet are they Enemies to him, and Rebels to the Government, because it tends to the Ruin of both.

25. **Passive Obedience is neither Popery nor Slavery establish'd by Law, but the Doctrine of Jesus Christ, grievous to none, but those who desire to use their Liberty as a Cloak of Maliciousness.**

This is far from a direct Answer to my Assertion, wherein I said, and do again affirm, That Passive Obedience is Popery establish'd by Law, and by consequence Slavery, when ever the Prince shall please. I ask, if King *James* when here, had put Papists into all Places of Trust, relating to the Choice of Parliament-men ( which he had already begun ) throughout *England*, and required them to return Papists to Parliament, and upon their Meeting they should have Establish'd Popery, as the Parliament did in Queen *Mary's* dayes, (as no doubt they would,) I would fain know how far we should have been from Slavery, and all this by the Doctrine of Passive Obedience, without which they could not pretend to Establish their Religion. It is not the Doctrine of the Gospel, or of Jesus Christ, to be Passive beyond the Laws and Customs of the Countrey, this were to make Christ the Author or approver of Confusion and Destruction amongst Mankind, instead of Justice and Order. 'Tis against all the sence of Scripture and Reason of Mankind, to say that God Almighty created Mankind to be subject to Princes, ( and of the Peoples making too ) that in Case they should overthrow the Government, or use the People like so many Beasts instead of rational Men, and Persecute them with all manner of Cruelty, or endeavour utterly to destroy them, though they lived quiet and peaceable Lives, ( yet that they should not defend and secure themselves from all such evil Designs : ) If God expects such Subjection, surely it would have been mentioned in Scripture ; but as he is no Respector of Persons at the great Tribunal, so who can imagine that he is such a Respector of Persons on Earth, as to set up or allow one Man so much above another, as in the foregoing sence? What can be said of such Men that assert Passive Obedience in the strictest sence, but that they

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have degenerated from Nature, in cherishing a Doctrine which tends not only to the Destruction of themselves, but to the rest of Mankind, according to the Will and Pleasure of the Prince? Good God! to what a degree of Folly and Madness are some Men arrived at, to assert a Doctrine, which if once believed and practised, inevitably tends to the Destruction of Christianity, and to all humane Societies; 'tis a Doctrine not fit for savage Heathens, much less for rational Men. These are the only Men fit to be compared to Papists, and are as necessary for the support of the Mother Church as Fire and Faggot, the one prepares them for Destruction, whilst the other Destroys them.

26. The Assistance which M. Elizabeth gave to the Hollanders and French Protestants against their lawful Sovereigns, as also the Business of Rochel in King Charles the first's time, are improperly argued against the Doctrine of Passive Obedience: Independant Princes, for Reasons of State (best known to themselves) may help their Neighbours, without injuring the Doctrine of Passive Obedience.

One Prince may assist another for Political Ends against another Prince or State, but he cannot assist his Subjects, who are in actual Rebellion against him, though their Pretensions be never so reasonable, without committing a notorious Sin, according to the Doctrine of Passive Obedience, because He that is aiding and assisting to Rebels, is as guilty of Rebellion as if he were actually in it.

27. Oh, do not trouble the King though he lay in Axes, much less whilst he is on this side of the Grave! I question not but that the unfortunate King James' Life will be more favourably represented in History than you have here described



described him. You seem to be very angry with him, because he endeavours to re-establish himself with the Sword, and yet you have given to every Man (even the meanest Cobler) the Right of Self-preservation as entire under Civil Government as he had in a State of Nature: upon my Word, Sir, this is very hard and unequal dealing, at once to Abdicare your King, and at the same time complain of him for endeavouring to recover his Right.

I have as Honourary a Respect for a King as any Man whatsoever, whilst he continues his Kingly Office, that is; Governing according to the Laws of the Countrey; but when he shall degenerate, and break all his Sacred Oaths and Promises, and destroy the very Foundation of Government, which ought to be kept inviolable, then have I Reason to turn my Love into Contempt, I having (as all Men ought to have) a real and truer Love for my Countrey and its excellent Constitution, than for ten Thousand Kings who shall endeavour to destroy it. I have not reviled the late King James, but spoken the Truth, as will appear by what follows. Were not his Creatures, as Papists and Popishly affected, put into Places of Trust by his Means during his Brothers Reign, and Parliaments Protruded and Dissolved? And was he not believed by most of the Nation to be the Head of the Popish Plot? these are sufficient to prove that he Conspired against the People and Government when Duke of York. I need not mention his Actions when King, they being fresh in every Man's Memory. Self-preservation is inherent to all Men, but it does not follow that a King who has renounced his Throne, and abandoned the Kingdom, should endeavour to re-establish himself through a Sea of Blood, though the Government is provided with another Governour. What right hath a King to the Throne but from the People? If you can make out your Doctrine of *Jure Divino*, then you may lay Claim to such Rights for

Your King *James*, as neither the Law or Reason does or can allow.

28. That God did originally Institute Monarchy, I do say ; but that we are Commanded to obey Kings exclusively to all other Government, doth not follow, and I do not maintain.

If God did Command or Appoint the World to be Governed by Kings, and that he hath not revok'd that Decree, then it does follow, that all other Government is sinful, because any thing contrary to the Appointment or Command of God is a Sin.

29, 30. We have very little Account of the World from the Creation to the flood, but by what appears, we may safely conclude, that God then Governed his People by a Paternal Monarchical Authority ; and afterwards Melchizedeck, Abraham, and the Patriarchs, were great Kings and Princes ; Moles was King of Ieshurun ; the Judges were so many Monarchs for the time being, and so all along the Jews were under a Monarchical Government, and therefore it was their fault to desire a King after the manner of the Nations, when they already had such a Regal Government as God thought fit to appoint. Nimrod is not the first Monarch, but the first mighty Hunter ( or cruel Tyrant ) we meet with in Scripture : but consider I pray, whether the Dominion which God gave unto Adam did not make him the first and greatest Monarch upon Earth ; and if so, this makes not a little for the *Jure Divino* Doctrine, ( which

(which term of Art yet I profess my self not to be in love with :) Doth not God himself tell us, That by him Kings reign? doth he not say of David, He hath exalted one chosen out of (not by) the People? doth he not call Cyrus (an Heathen King) his Anointed? and are we not told what horrid wickedness was committed when there was no King in Israel? All these things shew that Monarchy is from God, and that there were Kings in the world before Nimrod; unless you understand by Kings only such wicked Persons as he was, (as you seem to do :) But yet though this be true, yet 'tis not absolutely necessary that all the world should be Governed by Kings, any more than that all Churches should be necessarily governed by Bishops, because 'tis certain that Episcopacy was Instituted in the Church by our Saviour and his Apostles.

I never till now heard, That a Paternal (which is a Fatherly) Authority was a Kingly Authority. It cannot be supposed that *Adam* was a King, upon the Authority which God gave him of having Dominion (without it be understood) over the Fish of the Sea, and the Fowl of the Air, and the Cattel, &c. nor because God bid him be fruitful, and multiply, and replenish the Earth, and subdue it, because there was nothing to subdue, (except Beasts) he being the first Man of the Creation. It can mean nothing else, than that he should have Power or Authority as Father over all his Children; and subdue them if they were Rebellious in disobeying his Commands. But to proceed, After the Flood, the Twelve Sons of *Jacob* were Patriarchs, that is, chief of the Fathers, or chief Head Prince of the Family; and such was *Abraham*, who was called a *Father* (not a King) of many Countries: The Judges were not Monarchs

Monarchs for the time being, but Rulers over the People, *Lev. 4. 8.* With what Face can you assert that the Jews were all along under a Monarchical Government, when 'tis certain there is not the least Intimation thereof in Scripture. *Melchisedeck* was a Type of Christ, being both King and Priest, he was King of Righteousness, and King of Salem, which is King of Peace, without Father or Mother, having neither beginning of Dayes nor end of Life, *Heb. 7. 2, 3.* He was a Sovereign King and High Priest of the Church, and such was Christ, not using Authority like unto worldly Kings. *Deut. 34. 10.* speaking of *Moses*, There arose not a Prophet since in *Israel*, whom the Lord knew face to face; he being a very Holy Man, and such a singular Prophet, and whom the Lord had such a respect for that he buried him Himself, *Ver. 6.* therefore it may with Reason be concluded that God gave him an Honour above other Prophets by making him a King, and likewise *Melchisedeck* was a Type of Christ: But these Kings did not act by their own Will, but by the Will and Appointment of Almighty God: We read of no other King or Kings over the Children of *Israel*, till they desired a King. *Isa. 44. 28. & 45. 1.* Thus saith the Lord to his Anointed *Cyrus*, he is my Shepherd, and shall perform all my pleasure, whose right hand I have holden to subdue Nations before him: But doth God call any other Heathen Kings his Anointed, of which there was a great Number during the time of the Children of *Israel*? Was not *St. Paul* by the appointment of the Almighty one of the chief of the Apostles, though he had been a violent Persecutor? And it may very well be thought that God by a particular Providence caused *Cyrus* to be made King, by whom he design'd to subdue Nations, and therefore may be very properly called his Chosen or Anointed, for in the first Year of his Reign he made a Decree to build the House of God, &c. *Ezra 5. 13, 14.* I do once more affirm, that *Nimrod* is the first King mentioned in Scripture, *Gen. 10. 9. Deut. 32. 18, 19.* The Children of *Israel* are commanded to make Judges and Officers throughout their Tribes, of which they had Twelve, *Gen. 49. 28.*

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Mat. 19. 28. which were Societies, ) *And they shall Judge the People with just Judgment, not wresting Judgment or respecting Persons: This was the Government that God had appointed over the Children of Israel, which was by Judges and Prophets, not by Kings: But suppose these Judges were Kings, according to your Assertion, it follows, that the People have right to Elect their Kings by Divine Appointment. This makes not a little against the present pretended Jure Divino Doctrine; yet 'tis certain that there was many Kings by Divine Appointment in the time of the Children of Israel, but that they are so now, I do absolutely deny. Pray Sir examine this Paragraph well, for I do positively charge you with Wrestling the Scriptures, and making very false Assertions: I require you to prove that Kings are by the Command or Appointment of Almighty God, which done, I'll prove such Government to be necessary, and that all others are sinful.*

31. **Some sort of Allegiance is due to him from whom we receive Protection; that it is the only Foundation of Allegiance, I do again deny.**

The Coronation Oath, and Oath of Allegiance, are mutual Ties of Protection, and of Obedience to the Laws; the King to obey the Laws in Administration of Justice, and the People to obey the Laws in being Passive to them. It is impossible for a King to Govern with that Justice and Equity, but he will have some Enemies; and if the People do not protect him, how can he be safe in his Throne? There is a Natural Allegiance due to all Men, that is, from one Man to another; and there is a Political Allegiance due to the King for protecting me in my Civil Rights, &c. and this is the only Cause and Foundation of Allegiance, to which I have spoken more large in the 20, and 21, Replies.



32. The Law indeed Indemnifies the People for Obeying an Usurper, (or a King only *de Facto*) but this supposes a fault which without this Law was severely punishable; besides, it doth not say that they shall assist the King *de Facto* in his Warrs, &c. but only take care to secure them if they do so.

What Fault can there be supposed in Obeying or Assisting an Usurper or King *de Facto*, when the Law does not Punish, but allows of such Obedience and Assistance. Treason cannot be committed against a King out of Possession of the Throne, but it is Treason to be aiding or assisting towards his Restoration, which is Conspiring against the King *de Facto*: And as long as a King in Possession (tho not by regular descent) governs according to the Laws of the Land, he ought to be assisted, and may require his Subjects Assistance in his Warrs. After all the Clamour and Noise that hath been made about the Obligation of the Oath of Allegiance, it appears by this that it is only Conditional, and that it is dissolved whenever the King ceases to Govern or Reign.

33. As for your Aphorism the Safety of the People, &c. I do not dispute the truth of it. But whether the way to observe this supream Law, be, to violate the Right of Succession, I do, and so will you, I believe, upon second thoughts very much question.

The Divine Law is the same in one Countrey as in another. I would fain know whether the Law that is made in France, That no Woman shall Inherit the Throne, and the turning out the King of Portugal, and setting up his younger Brother, who was more fit to govern, (and many like Instances might be given) be against this Divine Law; and whether or no England for its Security may not exclude the

next

next Heir to the Crown, or turn out He that shall be upon the Throne, who are incapable, or will not govern according to the Laws of the Land. I do affirm, that there is no other Right of Succession than what proceeded from the People, and that this was given to the King for the time being, and to his Heirs, upon Condition that He and they should Govern according to the Laws and Customs of the Countrey; else to what purpose was these Rules and Bounds of Government given, but that he should be obliged to govern according to them, and not according to his Will and Pleasure? What an Essay would it be upon our Reason, to think that our Ancestors who made Kings, were such Fools or Mad Men, as not to reserve to themselves a Power of turning them out if they endeavour'd to destroy them, or act contrary to those Rules they had set them: If they had no such Intention or Reserve, yet it follows they had such Power, and that it still remains; because there neither was, nor is any Law to the contrary, and this has been several times Executed, as may be seen in the 18, and 19, Reply.

34. **The Kings of England (as all other Kings) came to their Crowns by Divine Appointment, and are only recognized or received to their Rights by the People. The Prerogatives and Authorities of the Crown are given to the King for the time being, only to prevent what Mischiefs might otherwise ensue to the Community.**

*Sir, You are pleased to take no Notice of the latter Part of my 29<sup>th</sup> Query, which is as distinct a Head as any one, and begins at the ending of a full Point, tho' not in a Break like the rest, which being very proper, in Answer to this Assertion of yours, I shall here insert it, viz. If Kings are by Divine Appointment, is it not rational to believe that God would have commanded all the World to have been Govern'd by Kings, or at least the Christian World; and have given them a Law to Govern by? The Prerogatives and Authorities of the Crown are nothing but the bounds and supports of the*

Regal Authority, and are given to the King for the time being; but if he exceeds those Bounds, it is no Prerogative or Authority, and then most certain the People who gave him his Authority has Authority to take it away. Now I would fain know what your *Jure Divino* King would signifie, (more than a stalking Horse) when his Prerogatives and Authorities are taken from him, (for you allow them to be in the People) for I am sure this is the only way to prevent the Mischiefs which would otherwise enlue to the Community from a false and destructive Governour. It cannot be proved that there hath been a King by Divine Appointment for these many Ages last past: If they were by Divine Appointment, then they would be set up by the immediate Appointment of Almighty God, as over the Children of *Israel*; or else the Scripture would have said, that their Issue should be Kings, (and then you must prove a right Line from that Issue, which is impossible to be proved) or that the World should be Govern'd by Kings. Since God Almighty hath no where Comanded or Appointed the World to be Govern'd by Kings, it absolutely follows, That it is the Peoples Right to choole their Kings and Governours; and then what greater Nonsense can there be, than to affirm the People hath nor Right to Punish their Kings, by turning them out of the Throne for not Administring of Justice!

**35. In the first Ages of Christianity, the Right of Succession was not a settled Title to the Empire, neither were the Christians of that time bound by Oaths of Allegiance and Supremacy; And this is the reason most probably why our Saviour and his Apostles only warn'd them in general to Obey the Emperours who were then in Power, without enquiring into their Right and Title.**

Although in the first Ages of Christianity the Roman Emperours were seldom by a Hereditary Right, and the Christians

rians were not bound to them by Oaths of Allegiance and Supremacy, yet the Commands of our Saviour and his Apostles for their Obedience to those Heathen Princes; under the Pain of Damnation, was more binding than any Oath those Princes could have required of them.

36. As for your Challenge, I do undertake to prove the Doctrine of Passive Obedience, and Unlawfulness of Deposing of Kings, by Scripture, Law, and Reason, when you shall think fit to make any material Objections against them; but yet when I have done this, I am, (I assure you) and shall be as averse as you are from having my Throat cut either by French or Irish Dragons. As for the *Jure Divino* Doctrine (in your sense) I do not undertake for it.

Sir, You undertake to prove the Doctrine of Passive Obedience, why did you not joyn *Jure Divino* to it, (which you have strove hard to prove in your 29<sup>th</sup>. Answer, and have asserted in your 34<sup>th</sup>. Answer) for they used to go together, during the time of the Children of Israel, when God set up their Kings; but since he hath ceas'd to set up or appoint Kings, *Passive Obedience* and *Jure Divino* do cease also. In your sixth Answer you have asserted that which is diametrically opposite to this Answer of yours, viz. For you there assert, that *He that resists*, (meaning the King) *does not only resist the Usurpations of Men, but the Ordinance of God, tho' he were a Claudius or a Nero, who were two great Tyrants; especially Nero, who I believe cannot be parallel'd.* And you likewise there declare, that *Absolute and Unconditionate Obedience is due to the King as God's Vicegerent*; what is this but asserting Passive Obedience in the strictest sense imaginable? which Doctrine if true, then if the King destroyed the People by Hundreds and Thousands, they ought not to resist; for that God would punish him himself, as he did the Kings

over the Children of *Israel* : But where have we had an Example or Examples for these several Hundred Years last past, where God hath sent his visible Judgments upon wicked Kings, whereof the World hath been pester'd with a great many : I say, if God should send his private Judgments upon Kings (or Damn them) for their Wicked Government, ( which we ought not to Judge ) what would this signifie by way of Example to other Kings ? What a notorious Hypocrite are you become, to Preach up Passive Obedience to others, yet at the same time assuring me, that you are and shall be as averse from having your Throat cut as I am ? if so, then you are for resisting any Man or Men whatsoever, who shall endeavour to take away your Life contrary to Law ; and you could not but understand these were my Sentiments by my 6, 7, 8, and 10. Paragraphs. I would desire You, or any Man else to reconcile these Contrarieties together if they can. As for the Unlawfulness of Deposing Kings ( as you call it ) I need say no more, having already spoke sufficient in Answer to your sixteenth Apothegm. But pray *Sir*, what do you mean by not Undertaking for the *Jure Divino* Doctrine in my sence, when 'tis plain I have not asserted any such thing by my Challenge to the whole World for to prove that Doctrine ?

37. At last you turn Conjuror, but you see that your Charms have had no Operation upon me ; I am still unsatisfied with your Assertions and Propositions, and I doubt not but that all honest Men who shall impartially Judge betwixt us will be so too. I am equally against Rebellion in the State and Schism in the Church. I am far from sowing Dissentions amongst the People, or perswading any Subject from his true Allegiance : Let those who are guilty of this double sin, beware lest they be doubly Punished, with the Judgments of God in this World, and Damnation in the World to come.



If your Answer be your Sentiments, ( which no body ought to doubt of ) then there is great Reason to believe that your Conversation amongst Mankind is to the same purpose, and then you are guilty of this double sin, of sowing Dissentions amongst the People, and dissuading their Majesties Subjects from their true Allegiance. Now let all impartial Men that read this Book judge between us two.

**38. Thus Sir you have a short and I hope a direct Answer to your Propositions, if you shall think fit to Print it, you have the consent of N.N.**

I Challenge you and all other Men that do still persist in these inhumane and damnable Principles to answer what hath been said : I could wish that you and they would consult together, that the strongest Arguments that can be said for your Doctrine may be there inserted, which if short, and sent to Mr. *Harrison* the Bookseller, I do Promise once more to defend what I have asserted, and Print the Answer that shall be sent, with my Defence annex to it. But I hope that you and all other Men that have such Erroneous and destructive Principles, will upon the whole examine well what hath been said, and like good Christians acknowledge your Faults, and not add sin to sin in Justifying your selves in such an ill Principle; and in so doing you may be a means of adding Happiness to this Golden Age: And that Peace and Plenty, Justice and Judgment may flow in our Streets as long as the Sun and Moon endures, is the desire of him who wisheth an Eternal Happiness to this our *Israel*.

A. A.

**F I N I S.**

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